

Approved June 19, 1999.

Effective June 19, 1999.

CHAPTER 1544

S.B. No. 1171

AN ACT

relating to the power and authority of the Upper Guadalupe River Authority to borrow money for corporate purposes.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsections (c) and (d), Section 10(c), Chapter 5, page 1062, Special Laws, Acts of the 46th Legislature, Regular Session, 1939 (Article 8280-124, Vernon's Texas Civil Statutes), are amended to read as follows:

(c) A note issued under this section may not exceed \$55 [~~\$1~~] million *in the aggregate*.

(d) The notes may mature over a term of not more than 40 [20] years and bear interest at a rate of not more than 10 percent.

SECTION 2. (a) It is the intent of the legislature to provide a mechanism for the Upper Guadalupe River Authority to use revenues from the provision of wholesale water and wastewater services instead of ad valorem taxation in Kerr County to finance the construction and simultaneous operation of regional wholesale water and wastewater services in Kerr County. The mechanism allows the anticipated growth in Kerr County to pay for itself and ensures the continued prudent fiscal management of the Upper Guadalupe River Authority.

(b) The legislature anticipates that this Act will:

(1) produce a revenue stream for the Upper Guadalupe River Authority sufficient to finance other operations of the authority, including water quality monitoring programs, maintenance of the county's on-site sewage facility, flood programs, and programs of the Headwaters Underground Water Conservation District that are administratively supported by the authority; and

(2) allow the Upper Guadalupe River Authority to terminate the assessment and collection of ad valorem taxes in Kerr County on and after December 31, 2009, without sacrificing any of the authority's essential water quality programs or services in Kerr County.

SECTION 3. (a) The proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and other laws of this state, including the governor, who has submitted the notice and Act to the Texas Natural Resource Conservation Commission.

(b) The Texas Natural Resource Conservation Commission has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(c) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

Passed the Senate on April 26, 1999: Yeas 30, Nays 0; the Senate concurred in House amendment on May 28, 1999, by a viva-voce vote; passed the House, with amendment, on May 26, 1999, by a non-record vote.

Approved June 19, 1999.

Effective August 30, 1999, 90 days after date of adjournment.